

RECEIVED
CENTRAL FAX CENTER

JAN 05 2007

Amendment

Serial No. 10/798,037

CARDIAC-PREFERRED GENETIC ALTERATION OF TRANSGENIC RABBITS
Docket No. : CHM02-GN054

IN THE CLAIMS:

THAT WHICH IS CLAIMED:

1-9. (Cancelled)

10. (Original) A transgenic rabbit comprising in its genome at least one stably incorporated expression cassette comprising:

a.) a promoter, wherein said promoter comprises a nucleotide sequence selected from the group consisting of:

- i.) a nucleotide sequence set forth in SEQ ID NO:1 or SEQ ID NO:2;
 - ii.) a nucleotide sequence having at least 90% identity to a nucleotide sequence set forth in SEQ ID NO:1 or SEQ ID NO:2, wherein said nucleotide sequence is capable of initiating transcription in an animal cell; and
 - iii.) a nucleotide sequence comprising at least 50 contiguous nucleotides of a nucleotide sequence set forth in SEQ ID NO:1 or SEQ ID NO:2, wherein said nucleotide sequence is capable of initiating transcription in an animal cell; and
- b.) a heterologous nucleotide sequence operably linked to said promoter.

11. (Original) The rabbit of claim 10, wherein said promoter is capable of initiating tissue-preferred transcription.

12. (Original) The rabbit of claim 11, wherein said tissue-preferred transcription is cardiac-preferred transcription.

13. (Original) The rabbit of claim 12, wherein said cardiac-preferred transcription is ventricle-preferred transcription.

14. (Original) The rabbit of claim 12, wherein said cardiac-preferred transcription is atria-preferred transcription.

(W0867181.1)2

Amendment

Serial No. 10/798,037

CARDIAC-PREFERRED GENETIC ALTERATION OF TRANSGENIC RABBITS
Docket No. : CHM02-GN054

15. (Original) The rabbit of claim 10, wherein said rabbit exhibits altered expression of the heterologous nucleotide sequence.

16. (Original) The rabbit of claim 10, wherein said expression is cardiac-preferred expression.

17. (Original) The rabbit of claim 10, wherein said heterologous nucleotide sequence comprises a nucleotide sequence selected from the group consisting of:

- a.) a nucleotide sequence set forth in SEQ ID NO:3;
- b.) a nucleotide sequence having at least 95% identity to the nucleotide sequence set forth in SEQ ID NO:3;
- c.) a nucleotide sequence encoding a polypeptide having the amino acid sequence set forth in SEQ ID NO:4; and
- d.) a nucleotide sequence encoding a polypeptide having at least 95% identity to the amino acid sequence set forth in SEQ ID NO:4.

18. (Original) The rabbit of claim 17, wherein said promoter is capable of initiating ventricle-preferred transcription and said rabbit exhibits altered myosin isoform expression.

19-34. (Cancelled)

35. (Original) A transgenic rabbit comprising in its genome at least one stably incorporated expression cassette comprising:

- a.) a promoter, wherein said promoter comprises the nucleotide sequence set forth in SEQ ID NO:1; and
- b.) a heterologous nucleotide sequence operably linked to said promoter.

36. (Original) A transgenic rabbit comprising in its genome at least one stably incorporated expression cassette comprising:

{W0867181.1}3

Amendment**Serial No. 10/798,037****CARDIAC-PREFERRED GENETIC ALTERATION OF TRANSGENIC RABBITS**
Docket No. : CHM02-GN054

- a.) a promoter, wherein said promoter comprises a nucleotide sequence having at least 90% identity to the nucleotide sequence set forth in SEQ ID NO:1, wherein said nucleotide sequence is capable of initiating transcription in an animal cell; and
- b.) a heterologous nucleotide sequence operably linked to said promoter.

37. (Currently Amended) A transgenic rabbit comprising in its genome at least one stably incorporated expression cassette comprising:

- a.) a promoter, wherein said promoter comprises the nucleotide sequence set forth in SEQ ID NO:2; and
- b.) a heterologous nucleotide sequence operably linked to said promoter; wherein said rabbit exhibits an altered susceptibility to cardiopathy.

38. (Currently Amended) A transgenic rabbit comprising in its genome at least one stably incorporated expression cassette comprising:

- a.) a promoter, wherein said promoter comprises a nucleotide sequence having at least 90% identity to the nucleotide sequence set forth in SEQ ID NO:2, wherein said nucleotide sequence is capable of initiating transcription in an animal cell; and
- b.) a heterologous nucleotide sequence operably linked to said promoter; wherein said rabbit exhibits an altered susceptibility to cardiopathy.

39. (Currently Amended) A transgenic rabbit comprising in its genome at least one stably incorporated expression cassette comprising the nucleotide sequence set forth in SEQ ID NO:5, wherein said rabbit exhibits altered cardiac contractility.

40-49. (Cancelled)

50. (Newly Added) A transgenic rabbit comprising in its genome at least one stably incorporated expression cassette comprising:

(W0867181.1)4

Amendment**Serial No. 10/798,037****CARDIAC-PREFERRED GENETIC ALTERATION OF TRANSGENIC RABBITS**
Docket No. : CHM02-GN054

a.) a promoter, wherein said promoter comprises a nucleotide sequence selected from the group consisting of:

- i.) a nucleotide sequence set forth in SEQ ID NO:1 or SEQ ID NO:2;
 - ii.) a nucleotide sequence having at least 90% identity to a nucleotide sequence set forth in SEQ ID NO:1 or SEQ ID NO:2, wherein said nucleotide sequence is capable of initiating transcription in an animal cell; and
 - iii.) a nucleotide sequence comprising at least 50 contiguous nucleotides of a nucleotide sequence set forth in SEQ ID NO:1 or SEQ ID NO:2, wherein said nucleotide sequence is capable of initiating transcription in an animal cell; and
- b.) a heterologous nucleotide sequence operably linked to said promoter, wherein said rabbit exhibits an altered susceptibility to cardiopathy.

51. (Newly Added) A transgenic rabbit comprising in its genome at least one stably incorporated expression cassette comprising:

a.) a promoter, wherein said promoter comprises a nucleotide sequence selected from the group consisting of:

- i.) a nucleotide sequence set forth in SEQ ID NO:1 or SEQ ID NO:2;
- ii.) a nucleotide sequence having at least 90% identity to a nucleotide sequence set forth in SEQ ID NO:1 or SEQ ID NO:2, wherein said nucleotide sequence is capable of initiating transcription in an animal cell; and
- iii.) a nucleotide sequence comprising at least 50 contiguous nucleotides of a nucleotide sequence set forth in SEQ ID NO:1 or SEQ ID NO:2, wherein said nucleotide sequence is capable of initiating transcription in an animal cell; and

b.) a heterologous nucleotide sequence operably linked to said promoter, wherein said heterologous nucleotide sequence comprises a nucleotide sequence selected from the group consisting of:

- i.) a nucleotide sequence set forth in SEQ ID NO:3;
- ii.) a nucleotide sequence having at least 95% identity to the nucleotide sequence set forth in SEQ ID NO:3;

(W0867181.1)5

Amendment

Serial No. 10/798,037

CARDIAC-PREFERRED GENETIC ALTERATION OF TRANSGENIC RABBITS
Docket No. : CHM02-GN054

iii.) a nucleotide sequence encoding a polypeptide having the amino acid sequence set forth in SEQ ID NO:4; and

iv.) a nucleotide sequence encoding a polypeptide having at least 95% identity to the amino acid sequence set forth in SEQ ID NO:4;
and wherein said rabbit exhibits altered cardiac contractility.

52. (Newly Added) A transgenic rabbit comprising in its genome at least one stably incorporated expression cassette comprising:

a.) a promoter, wherein said promoter comprises a nucleotide sequence selected from the group consisting of:

i.) a nucleotide sequence set forth in SEQ ID NO:2;

ii.) a nucleotide sequence having at least 95% identity to a nucleotide sequence set forth in SEQ ID NO:2, wherein said nucleotide sequence is capable of initiating transcription in a rabbit cell and wherein said transcription is ventricle-preferred; and

iii.) a nucleotide sequence comprising at least 100 contiguous nucleotides of a nucleotide sequence set forth in SEQ ID NO:2, wherein said nucleotide sequence is capable of initiating transcription in a rabbit cell and wherein said transcription is ventricle-preferred; and

b.) a heterologous nucleotide sequence operably linked to said promoter; and said rabbit exhibits an altered susceptibility to cardiopathy.

{W0867181.1}6